

Consideration of recommendation of DNR committee formed to consider citizen petitions regarding the use of the 220 trap set on land; Administrative Cause No. 09-211D

**DNR RESPONSE TO PETITION REGARDING USE OF THE .220 TRAP
September 2010**

The Natural Resources Commission received two (2) petitions for a rule change to require a person who sets a trap that is capable of killing a dog to notify the adjacent landowner or to make the use of the 220 Conibear™ trap set above-ground illegal.

Laws

The DNR has administrative rules in place that allow the use of certain traps on land that are efficient for the species of animals trapped and reduce the risk of injuries to dogs. These trap sizes were reviewed just a few years ago and revisions were made at that time to the sizes of traps that could be set on land and in the water.

A person cannot take a wild animal with a body-gripping trap such as a Conibear™ or Dahlgren™ set on land unless the widest vertical inside jaw spread measured at the horizontal center of the trap's jaws and the widest horizontal center of the trap's jaws measured at the vertical center of the trap's jaws are 7 ½ inches or less if square and 8 inches or less if round. Otherwise the trap must be completely covered with water. Below is the administrative rule in 312 IAC 9-3-18:

(f) A person must not take a wild animal with a Conibear™, Dahlgren™, Bigelow™, or similar body-gripping trap if the widest vertical inside jaw spread measured at the horizontal center of the trap's jaws and the widest horizontal inside jaw spread measured at the vertical center of the trap's jaws is either of the following:

- (1) larger than seven and one-half (7½) inches if square; or
- (2) larger than eight (8) inches, if round.

Otherwise, the trap must be completely covered by water.

These traps can be used by resident landowners and tenants to take nuisance raccoons and certain other species of wild animals that are causing damage to their property, by licensed nuisance wild animal control operators, and by licensed trappers during the trapping season for that animal.

Use of the 220

The 220 body-gripping trap is widely-used and is effective for trapping raccoons and skunks. The Association of Fish and Wildlife Agencies has helped to establish best management practices for trapping furbearers in the United States, and this trap is listed as a best management practice for raccoons, foxes, and skunks. Raccoons and other species of wild animals can become trap-shy and be extremely difficult to capture in a live (cage) trap. The Best Management Practices for Raccoons states, "These best management practices are carefully researched recommendations designed to address the animal's welfare and increase trapper's efficiency and selectivity. All traps listed in the best management practices have been tested and meet performance standards for animal welfare, efficiency, selectivity, practicality, and safety." Extensive research and field-testing is done to determine the best traps for each species. The Belisle Class 220™, Belisle Super X 220™, Bridger 220™, BMI 220™, BMI 220 Magnum™, LDL 220™, Rudy 220™, Species Specific 220 Half Magnum™, and Woodstream Oneida Victor 220 Conibear™ are all included as the best traps to use for raccoons.

The 220 Conibear™ is legal to use in other states, including Illinois, Kentucky, Michigan, and Ohio, although some states have additional restrictions for their use on land.

Trapper Education

The proper placement of the 220 set on land will reduce accidental captures of dogs. By placing the trap in the run or trail of the animal, not directly over a groundhog hole or other den site where a dog is likely to stick its head to investigate, capturing a dog would be less common. DNR conservation officers and other certified trapper education instructors teach trapper education class members that these body-gripping traps can injure or kill a dog of a certain size, and that precautions must be taken to help reduce or eliminate accidental captures. The trapper education manual used in these classes advises trappers not to place traps on trails shared by people, pets, and livestock. Furthermore, trappers are advised to use them with care to prevent the capture of pets and other non-target animals, including the option of enclosing them in boxes. By enclosing the 220 in a box, the box can help make this trap more selective and reduce accidental captures of other animals. Trappers are also advised to not set body-gripping traps in boxes on logs where dogs or cats will find the trap. The trapper education manual and best management practices can be found on-line at: http://www.fishwildlife.org/furbearer_resources.html

The Furtakers of America has also produced a video to help educate trappers about the proper placement of the 220 and other body-gripping traps set on land.

Conclusion

While the DNR understands the concerns reflected in the petitions and is concerned about dogs who may encounter traps set on land, the DNR does not believe that prohibiting the use of this trap is warranted. All of the surrounding states allow the use of the 220 and other body-gripping traps, usually with a size limitation and other restrictions.

Requiring a person who sets a trap to notify the adjacent landowner could be time and labor intensive, which could be a problem if the landowner must deal with a nuisance animal right away. An individual who sets a trap already must have permission to use the trap on that property. Nuisance wild animal control operators would likely increase the fee for trapping a nuisance animal if they would be required to notify adjacent landowners that a body-gripping trap has been set. Furthermore, the adjacent landowner may not live on the property and may not be easy to contact. While notification to adjacent landowners is a good idea, it could create conflicts between landowners. It is also important to note that in the situation reflected in the petitions, the dog was on another person's property when it was killed in the trap.

In conclusion, the DNR will continue to help educate trappers regarding the proper placement of 220 traps set on land to help reduce the possibility of killing or injuring a dog.